IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 642 OF 2006

IN

CRIMINAL APPLICATION NO. 1855 OF 1999

M/s National Polymers .... Applicant

Versus

Eastern Polymers & Anr. .... Respondents

Mr. Pradeep B. Mandhyan i/b Vinay Tiwari for the Applicants.

Mr. S.V. More, APP for the State.

Mr. Nitin Trivedi for Respondent nos. 1 to 3.

CORAM : A.S. OKA, J.

DATE : 8TH DECEMBER 2006

P.C.

1) Heard Advocate for the Applicant and Advocate for the 1st to 3rd Respondents. Application is strongly opposed by pointing out that the application for condonation of delay is filed after lapse of six years and more.

2) The delay in preferring application for special

leave was only of 33 days. As the objection regarding non filing of application for condonation of delay was not removed, the application for leave was dismissed for non prosecution.

3) Considering the facts and circumstances of the case, delay deserves to be condoned. Rule is made absolute in terms of prayer clause (a). Place the application for leave on board on 20th December 2006.

(A.S. OKA, J.)